

1 WENDY MEDURA KRINCEK, ESQ., Bar # 6417
2 KAITLYN M. BURKE, ESQ., Bar # 13454
3 LITTLER MENDELSON, P.C.
4 3960 Howard Hughes Parkway
5 Suite 300
6 Las Vegas, NV 89169-5937
7 Telephone: 702.862.8800
8 Fax No.: 702.862.8811
9 Email: wkrincek@littler.com
10 Email: kmburke@littler.com

11 Attorneys for Defendant
12 ULTA SALON, COSMETICS & FRAGRANCE, INC.

13
14 **UNITED STATES DISTRICT COURT**
15
16 **DISTRICT OF NEVADA**

17 JOSE A. GOMEZ, an individual,

18 Plaintiff,

vs.

19 ULTA SALON, COSMETICS &
20 FRAGRANCE, INC., a Delaware
21 Corporation and DOES I through X,
22 inclusive, and ROE CORPORATIONS I-X,
inclusive,
Defendants.

Case No. 2:16-cv-00922-APG-VCF

**STIPULATION FOR EXCEPTION TO
ATTENDANCE REQUIREMENTS FOR
EARLY NEUTRAL EVALUATION
SESSION**

ENE DATE: July 22, 2016
ENE TIME: 10:00 a.m.

MAGISTRATE JUDGE NANCY J. KOPPE

19 Defendant ULTA SALON, COSMETICS & FRAGRANCE, INC. (hereinafter "Ulta" or
20 "Defendant"), and Plaintiff JOSE A. GOMEZ ("Plaintiff"), by and through their attorneys of record,
21 hereby file this Stipulation requesting permission to excuse Ulta's insurance representative from
22 attendance at the Early Neutral Evaluation ("ENE") Session set for July 22, 2016.

23 The Order Scheduling ENE Session (Dkt. #10) requires a representative of Ulta's insurance
24 carrier with authority to settle this matter up to the full amount of the claim to be present. Ulta
25 requests an exception to this requirement because Ulta has a \$250,000 Dollar (\$250,000.00)
26 retention on its insurance policy covering this matter. In light of the value of this claim, Ulta does
27 not believe there is any reasonable good faith possibility that the indemnity will be triggered.
28 Therefore, Ulta believes that it will be more efficient and economical to excuse the insurance

1 representative from attendance. Additionally, Ulta's corporate representative, Anne Stolman, Senior
2 Counsel is prepared to fully and actively participate in the ENE and has binding authority to settle
3 this matter. Plaintiff's counsel has no objection to Ulta's request.

4 In consideration of the above, Ulta respectfully requests that the Court grant its request to
5 excuse the attendance of an insurance representative for the ENE session scheduled for July 22,
6 2016.

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8 Dated: July 6, 2016

Dated: July 6, 2016

9
10 Respectfully submitted,

Respectfully submitted,

11 /s/ Ryan Alexander, Esq.
12 RYAN ALEXANDER, ESQ.
13 RYAN ALEXANDER, CHTD

14 /s/ Kaitlyn M. Burke, Esq.
15 WENDY MEDURA KRINCEK, ESQ.
16 KAITALYN M. BURKE, ESQ.
17 Littler Mendelson, P.C.

18 Attorney for Plaintiff
19 JOSE A. GOMEZ

Attorneys for Defendant
ULTA SALON, COSMETICS & FRAGRANCE,
INC.

20
21 **IT IS SO ORDERED.**

22 DATED: July 7, 2016

23 Firmwide:141317224.1 059310.1097

24
25 THE HONORABLE NANCY J. KOPPE
26 UNITED STATES MAGISTRATE JUDGE
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